

REMARKS

This Amendment is responsive to the Office Action dated May 25, 2005.

Claims 1, 5-6, 10, 12, 14-18, 22-26, 30, 32, 36-42 and 44 have been cancelled without prejudice or disclaimer of the subject matter thereof. Claims 2-4, 7-9, 11, 13, 19-21, 27-29, 31, 33-35, 43 and 45-61 are pending.

In the Office Action, the Examiner indicated that claims 7-9 and 21 were directed to allowable subject matter. Accordingly, claim 7 is hereby presented in independent form. Accordingly, it is respectfully submitted that claim 7 and all claims dependent thereon are in condition for allowance.

New Independent claim 48 recites the novel subject matter of the present invention as a tissue container comprising a tissue receiving enclosure and a first, tissue dispensing opening for dispensing tissues therethrough. The first opening is closable by means of a hinged first lid. At least one auxiliary compartment is associated with one of the first opening and the first lid. The auxiliary compartment contains therein a preparation for use in conjunction with tissues. The subject matter is not suggested by any of the references cited.

Particularly, Paley, et al., U. S. Patent 6,062,381 discloses no hinged lid whatsoever. The same is true of the DeSimone, et al., U.S. Patent 6,321,937. Nally, Publication No. US 2003/0080018, does not disclose any auxiliary compartment containing a preparation. Accordingly, it is respectfully submitted

that the subject matter of claim 48 and claim 49 dependent thereon is distinguishable over the references.

New independent claim 50 recites the novel subject matter of the present invention in a slightly different manner. However, claim 50 requires, *inter alia*, a first hinged lid which may be opened or closed with respect to a first tissue dispensing opening, and at least one auxiliary compartment adapted for containing therein a preparation for use in conjunction with tissues. As discussed above, the references do not disclose these features. It is, therefore, respectfully submitted that claim 50 and all claims dependent thereon are likewise directed to allowable subject matter.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims in the application are directed to allowable subject matter. Favorable consideration is respectfully solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Charles Gorenstein (Reg. No. 29,271) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit

Appl. No. 10/649,865

Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or  
under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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